App. F. IX-4

Previous References

193 6.
(Mysore

File No. 14-36

Serial Nos. 1-2

Letter References.
Law 232-36(4-9)
Mys 849-42-1-2
2:7-45-1,3-12

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 2

Part B for Aug 36.

SUBJECT.

Management of Sri Vithoba & other temples belonging to Sarakuliarala Community Bangalore city.

To Ex Mys
" Comptroller
" D.C. Bangalore

WD 0418—GPB—22,500—20-8-36

No. 296-8 of 25-8-36.

Sanctioning the levying of
fees ... Govt

G. R. S. APP. F. III—1] 1936 - 7

GENERAL AND REVENUE SECRETARIAT.

(Mungrai

NOTES.

File No.

FILE HEADING

Management of Sri Vittoba and other Temples belonging to Shrakulasala Community B

FROM

The Mungrai Commissioner in Alpha

No. C 1652/35-36 Dated 11. 7. 1936 Received 15. 7. 1736

Diary No. 52	Enclos.	Spare copies	Serial No.

BRIEF ABSTRACT OF LETTER

Requests sanction to take all the 6 Temples of the Shrakulasala Community, together with their properties under Government management, under [illegible] of Regulation VII of 1927.

NOTES AND ORDERS.

The deputy commissioner has sent a note to the H.C. explaining the necessity for the above proposal. From the reports received by him it is clear that the management is in the hands of the trustees who are misappropriating the funds of the temples. Action taken under the provisions of Section 15 (1) of Regulation VII of 1827.

On the whole there are 6 temples, each in the community in Bangalore city, and it is

NOTES—First Sheet

WD 0245—GPB—2,500—23-8-32

Management of Swakulasala Community Temples in Bangalore City

Revenue File No. of 1936. General and Revenue Secretariat

proposed to take only 6 of them under Govt management and leave the remaining 2 Temples in the hands of the present managers only.

Submit for orders

The reports of the Dy. Comr. Bangalore Dt., and the Sub-Divisional Officer, Bangalore, show that the institutions are being mismanaged.

20.7.36.

20 JULY 1936
561

The recommendations of the Nazrai Commr may be approved.

Gen. Secy)

20/7/36

Secy

2117/36.

First Member)

Is there no other way out except to take them under Govt management? The local authorities have enough temples I should think to manage without adding more to the number. Can an alternative scheme be thought of? The Nazrai Commr's views on this report will be useful.

Temples

C16 58/35-36

755

Forwarded, with compliments, to the Nazrai Commr for favour of opinion.

By Order,

Subbanagappa

for Gen'l Secy to Govt.

21/7

Serial No.

No. 1658
35.36
Dr 30.7.36

31 JULY 1936

9 The conditions in this case are very exceptional There is a strong cleavage between the 2 parties into which the community has got divided. Unless Government interfere, it is hopeless to expect any improvement. I request therefore that the proposals may be sanctioned as a special case.

10 Returned with compliments.

Dr Aman Tamang
29-7-1936. Muzrai Commissioner.

11 Orders. Off. memo dated 2[illegible]7/36 ab

(Sd) [illegible] 29-7 dy

Finance Member) 12 I agree.

(Sd) [illegible] 31/7

13) Draft ags 4/8/36

14 Issue like a draft [illegible]

11 AUG. 1936

Dr 7/8-8-36

15/7/36

16 Gen Secy) Parlan Aircraft Police for approval

The usual way in this case. I do not recommend this clause. [illegible] ags 11/8/36

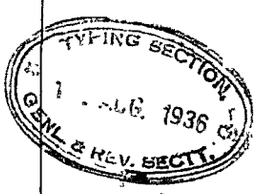
NOTE—Contn. Sheet

WD 01955—GPB—22,500—12 6-34

File No. 14 of 193 | General and Revenue Secretariat

18/ The draft G.O. is modified suitably and thanks to the General Secy in person.. Typing Section for kindly putting up a typed draft to the same.

17/8/36

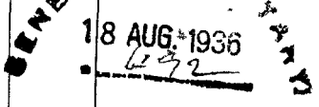


Typed draft G.O is submitted as directed for approval

18/8/36

Gen. Secy)

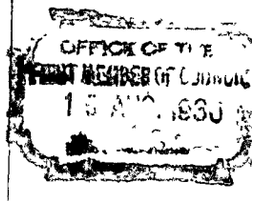
Secy 18/8/36



For perusal before issue

Secy 18/8

Asst Secretary)



Please vide page 4 the last para is in proper form for issue

Secy

18/8

Letter issued revised form

Secy 21/8

2468 P. 25.8.36 Secy

The Hon'ble Minister for Public Works, Bangalore

2

3

15/9/36

Muz 44-31-1

No. C.1658/35-36.

Enc. 10 files, 2 photos & 6 books etc.

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE,

Bangalore, 10th July 1936

GENL. & REV. SECRETARIAT 15. JUL. 1936 MUZRAI BRANCH

FROM

K. V. ANANTARAMAN, ESQ., B.A.,
Muzrai Commissioner in Mysore.

To

M. Venkatesa Iyengar, Esq., M.A.,
Secretary to the Government of His Highness the Maharaja of Mysore,
General *Department.*

GENERAL SECRETARIAT 13 JULY 1936

Management of Sri Vittoba and other Temples belonging to Swakulasala Community, Bangalore City.

SIR,

I have the honour to forward herewith a copy of letter No.C.3-3694/33-34 dated 9th June 1936 received from the Deputy Commissioner, Bangalore District, recommending the assumption of the above and to state as hereunder.

2. The facts of the case are set forth at great length in the Deputy Commissioner's letter, the Sub Division Officer's report, the written statement of the opponents and the petitioners' reply thereto and the written arguments of the petitioners contained in the file. On behalf of the petitioners, nine witnesses have been examined and a similar number on behalf of the opponents and a summary of their evidence is given in the Sub Division Officer's report. The crux of the whole matter as alleged by the opponents is that about 14 families of the community embraced Christianity some time in 1905 and that the members thereof as well as such other as had connection with them were not eligible for offering worship in the Temples etc.,. This matter has been finally set at rest by Endorsement No.J.1834/Pol. 5-31-21 dated 29th September 1931 issued to Mr. Setty Sarada Gangadharappa and others declining to interfere with the orders of the Deputy Commissioner, Bangalore District, recognising the rights of the petitioners in regard to worship in Temples and participation in celebrations thereat etc. Mr. Gangadharappa and others having filed a suit in the Court of the First Munsiff of Bangalore for declaring the order of Government

as ultra vires and void and for a permanent injunction restraining the petitioners from entering into the Temples, the Court held that the order did not give rise to any cause of action for the Plaintiffs to file the suit and that the Plaintiffs were not entitled to the declaration sought for. Having thus failed in their attempts to keep out the petitioners from the temples, the opponents resorted to criminal action but met with no better success. With a view to defeat the orders passed by the several Courts, the opponents have kept the temples closed and have stopped worship etc., for the last four years.

3. From the Schedule filed in the records it is seen that immoveable property worth Rs.29,500/- is owned by the Temples and at present house-rents to the extent of Rs.124/- a month are realised. It is reported that in addition to this there are other sources of income and a cash endowment of Rs.500/- and that if all the resources are properly husbanded the income will be quite sufficient for the maintenance of all the temples.

4. After elaborate enquiry, the Sub Division Officer has come to the conclusion that a prima facie case has been made out under Section 17 of the Mysore Religious and Charitable Institutions Regulation and recommends that the management of Sri Vittoba and five other temples may be taken under Government management under Section 18 of the Regulation. This view is supported by the Deputy Commissioner. I request therefore that sanction of Government to assume the management of all the 6 temples together with their properties may be obtained. On receipt of orders, further action to frame a scheme under Section 18 (4) of the Regulation will be taken.

5. As regards Mallikarjunaswami and Rama Devaru Temples, the Sub Division Officer says that no act of mismanagement came to his notice and that the party in possession have no objection for the other party taking part in the celebration of Utsavas and other festivals. The Deputy Commissioner is also of opinion that there is no ground to divest the party of the management. I agree with the views expressed by the Sub Division Officer and the Deputy

Deputy Commissioner.

6. The entire file of vernacular papers is sent for reference.

I have the honour to be,

S i r,

Your most obedient servant,

[signature]

Mu[illegible] Commissioner.

Letter No.J.3-3694/33-34 dated 9th June 1936, from the Deputy Commissioner, Bangalore District, to the Muzrai Commissioner in Mysore.

In forwarding herewith the records relating to the enquiry into the affairs of the marginally noted temples in Bangalore City belonging to the Swakulasale Community received with letter No.Mis. Case 4/33-34 dated 3rd March 1936 from the Sub Division Officer, Bangalore, I have the honour to state as follows:--

x

1. Sri Srikanteswara Temple near the Sivananda Theatre.
2. Sri Anjaneyaswami Temple near the Sivananda Theatre.
3. Sri Harihareswara Temple near the Sivananda Theatre.
4. Sri Chandramouleswara Temple near the Sivananda Theatre.
5. Sri Nanjundeswara Temple in Gudumaiyanapete, Bangalore City.
6. Sri Vottoba Temple in Basettypete, Bangalore City.

x

Divate Govindappa and some other members belonging to the Swakulasale Community petitioned the Sub Division Officer, Bangalore Sub Division, in December 1933, that there were two factions in the community to the smaller of which the petitioner belonged, that the major party consisting of about sixty-five families were preventing the petitioners from entering and offering worship in the temples mentioned above on the plea that the petitioners had embraced Christianity some time in 1905 and requested that the temples may be taken under Government management and arrangements made to systematise their affairs and to throw them open to all the members of the Community. They also represented that the temples were built by their common ancestors long before the factions arose and that they were being used by all members of the Community without distinction and that of late the members of the other party who were entrusted with the management of the temples as elders and Yadamans had mismanaged them and misappropriated their income etc.

As the temples are not Muzrai Institutions, the Sub Division Officer has taken the petition on his file and held a detailed enquiry, under Section 17, Religious and Charitable Institutions Regulation, into the allegations made and submitted a report of his findings.

It is seen from the records that all the temples in question

except the Sri Vitoba temple and the Nanjundeswara temple were constructed on a Government Kharab land viz., survey number 27 of Hanumanthapur village, without permission more than a hundred years ago, by some members of the Swakulasale community. Some houses have also been constructed adjoining the temples for their maintenance. The two other temples mentioned above were also constructed by the members of the community. All these temples were being used by all members of the community until 25 to 30 years ago when factions arose among them.

The major section of the community which happened to be managing the affairs of the temples set up a plea that about fourteen families of the community had been converted into Christianity some time in 1905 and that therefore the members of these fourteen families as well as such others as had mixed with them were not eligible for offering worship in the temples and participating in Utsavams etc. The smaller section whom the petitioners represent - refuted this allegation and claimed that they had never been converted outside their faith and that they were eligible and entitled to offer worship in the temples in question. As neither party showed any signs of relenting, the members of the minor section applied to the Sri Swamigalu of the Sringeri Mutt - who is the religious preceptor of the community - to enquire into the allegations made against them and give a decision. This reference was acquiesced in by the major section who took action to refute the grounds advanced by the minor section. After enquiry the Swamigalu decided that there was no evidence to show that the minor party had been proselytized and that however, to absolve themselves of the taint which may have attached to them by having been segregated outside the community for so long they should bathe in the holy waters at Rameswaram and pay a fine - Rs.8 to the community and the Mutt. Though the petitioners complied with these directions, the major party did not allow them to enter the temples etc.

At the instance of the petitioners orders were passed by the City Magistrate on 23rd January 1932, under Section 144 of the Criminal Procedure Code restraining the members of the major community from obstructing the former from entering the temple etc.

In order to defeat the object of this order the major community are reported to have kept the temples locked and stopped the conduct of worship etc., for the last four years.

It is borne out by the enquiry held by the Sub Division Officer that the temples have been grossly mismanaged and that some of the properties belonging to them have been alienated and that the income has been misappropriated. The temples are reported to have been kept in a neglected condition. Some of the devotees of the temples who belong to other communities have dropped away and stopped their Sevas as the temples have been ~~&~~ locked.

There is deep-seated disharmony in the community and the only way of restoring order appears to be to take the temples with the property attached to them under Government management and to appoint Dharmadarsis belonging to the different communities interested in the Institutions to supervise their affairs and to fix a scale.

The temples have a good income and the present Managers have not kept satisfactory accounts of income and expenditure. As the land on which the temples and the appertenant houses have been constructed belongs to Government and no permission has been obtained to raise these buildings neither section can claim a right over the temples. I have seen the locality. It is kept in an untidy condition and the only way of improving it is to take the temples under Government management and for the Municipality to acquire such portions as possible out of the other properties.

In these circumstances, I request that orders of Government may be kindly obtained for ~~taking~~ taking the temples under Government management.

Recently the City Superintendent of Police has reported that there are two other temples which belong to the community (noted in the margin)

1. Mallikarjunaswamy temple in Mallikarjunaswami Galli.
2. Ramadevaru Temple in Danjipet.

and which are under the management of the minor section and that they may also be taken under Government management as there was constant dispute regarding the right of entry into the various temples of the community.

The Sub Division Officer, Bangalore Sub Division, was asked to hold an enquiry into the affairs of these two temples and to submit a report on the suggestion made by the City Superintendent of Police. The Sub Division Officer has reported that on enquiry he found that these two temples are managed satisfactorily and that the persons who are managing the institution have given statements before them that they have no objection to members of either section of the community entering and offering worship in the temples. As no specific charges of mismanagement have been made or proved against them, there is no ground to divest them of the management.

In these circumstances, I request that orders of Government may be kindly obtained to take the six temples referred to in the first paragraph of this letter under Government management. The connected records together with two Photographs and five Account Book are herewith sent for reference.

" C o p y "

M N Anandarao

Muzrai
for Revenue Commissioner.

Proceedings of the [illegible]

the Kingdom of [illegible].

* * *

S I A M:

Letter No. [illegible] dated [illegible] July 1927 from the Royal Legation, [illegible], forwarding the translation of certain [illegible] Khuesala community in [illegible], [illegible] Ayuthia [illegible] of 1927.

2. Further correspondence [illegible] No. [illegible] dated 30th July 1928 from the [illegible] subject.

* * * *

CONFIDENTIAL No. 296-8/Mes 14-36-2
Encls 10 f.s. 2 photos + 6 Ext
[illegible] dated August 1928. M.C.
25.

It is reported that the [illegible] have [illegible]

1. Six [illegible] [illegible] Lopburi.
2. Two [illegible]
3. Two [illegible]
4. Two [illegible]
5. One [illegible] [illegible] Phra Phutthabat, Saraburi [illegible].
6. Two [illegible] [illegible] Khaokwang, Saraburi [illegible].

[illegible] [illegible] [illegible] [

community. After equity in the high court proceedings, the Awemyela decided that there was no evidence to show that the minor party had been murdered.

In spite of this decision, the major parties did not allow the minor parties to enjoy the peace and fellowship. They therefore appointed two lawyers - one from the police side for redress and an impartial person as they had been advised by the bodies who are supposed to be of the highest rank to be free from any kind of prejudice and an enquiries made want to show that there was nothing to finite against them, they were entitled to exercise their rights as members of the Awemyela community by prayer & worship in temples and participation in celebrations of their own. The major parties agreed to abandon their other but however may be means to disagree with the - order of the court conditions will disregard the court.

The major parties then filed a suit in the High Court of the court, Ampolara, for a ruling the order of reconsider as their views and did not in accordance with the - trends ; the minor parties were challenging the decision. But the court held that the order did not give rise to any cause of action for the plaintiffs [sic] counsel to file this suit and that the plaintiffs were not entitled to the reasonable remedy for.

Aggrieved by the decision of the court the minor parties appealed to the Supreme Court, however, the major parties refused to withdraw their cases but agreed to be present. [illegible] the order issued by the court, the Supreme Court, but the results of the [illegible] were [illegible] in the High Court.

In conclusion, the minor parties [illegible] [illegible] [illegible]

Proceedings of the Government of

H.H. the Maharaja of Mysore

- - -

Read-

Letter No. C.1658/35-36 dated 11th July 1936 from the Muzrai Commissioner in Mysore requesting sanction for assuming the management of certain temples belonging to the Swakulasala community in Bangalore City under section 18 of the Mysore Religious and Charitable Institutions Regulation VII of 1927.

2. Further correspondence ending with U.O. note C.1658 dated 30th July 1936 from the same officer on the subject.

Lucks to file 2 photos
46 books GM.C

Order No. 296-8/Misc 14-36-2
2025-8-36

It is reported that the Swakulasala community in Bangalore City to which the marginally-noted temples belong is divided into two factions. The major section of the community which happened to be managing the affairs of these temples set up a plea that about fourteen families of the community had been converted into Christianity sometime in 1905 and that the members of these families as well as such others as had mixed with them were not therefore eligible for offering worship in the temples and participating in celebrations etc. thereat. The minor section refuted this allegation and claimed that they were eligible and entitled to offer worship in the temples in question. The matter was taken to His Holiness the Sri Swamigalu of the Sri Sringeri Mutt, who is the religious preceptor of the community

1. Sri Vittoba temple in Basettipet, B.City.
2. Sri Srikanteswara temple
3. Sri Anjaneyaswami temple,
4. Sri Harihareswara temple
5. Sri Chandramouleswara " 2 to 5 near the Sivananda Theatre ~~xx~~ B.City)
6. Sri Nanjundeswara temple in Gudumaiyenpet, B.City.

After enquiry in which both sides participated, the Swamigalu decided that there was no evidence to show that the minor party had been proselytised.

In spite of this decision, the major section did not allow the minor section to enter the temples and offer worship. They thereupon approached the Deputy Commissioner on the White side for redress and he issued an endorsement ~~was issued by him as head of the district Police to the effect~~ that, as they had been declared to be free from any taint or disability by His Holiness the Sri Swamigalu of the Sringeri Mutt and as enquiries made went to show that there was nothing definite against them, they were entitled to exercise their rights as members of the Swakulasale community in regard to worship in temples and participation in celebrations thereat etc. The major party appealed to Government against this order but Government saw no reason to interfere with the order of the Deputy Commissioner and dismissed the appeal.

The major section then filed a suit in the First Munsiff's court, Bangalore, for declaring the whole order of Govt. as ultra vires and void and for a permanent injunction restraining the minor section from entering into the temples. But the court held that the order did not give rise to any cause of action for the plaintiffs (major section) to file the suit and that the plaintiffs were not entitled to the declaration sought for.

Having thus failed in their attempts to keep the minor section from the temples, the major section resorted to criminal action

but met with no success. With a view to defeat the orders passed by the several courts, the major section have kept the temples closed and have stopped worship in them for the last four years.

In December 1933, the minor section approached the Sub Division Officer, Bangalore, with a request to have the temples taken under Govt. management, to make arrangements to systematise their affairs and to throw them open to all the members (minor as well as major) of the Swakulasale community. The temples not being Muzrai institutions, the Sub Division Officer held an enquiry under Section 17 of the Religious and Charitable Institutions Regulation and came to the conclusion that a prima-facie case had been made out under section 18 of the Regulation to take the six temples and their properties under Government management. This view is supported by the Deputy Commissioner and the Muzrai Commissioner requests sanction to the proposal.

Please combine these two paras into one para.

* Govt. are pleased to sanction the ~~recommendation~~ proposal to take the institutions under management ~~in the circumstances~~. In the circs explained The Muzrai Commissioner is requested to ~~draw up~~ a scheme for the proper management of the temples and properties in question ~~and submit it for the orders of Govt. in due course.~~ drawing up these and issue necessary orders in this behalf. A copy of the scheme of management may be sent for the information of Govt.

Please revised

By order,
for General Secretary to Govt.

The Muzrai Commissioner with records.
The Comptroller to Govt.
The Deputy Commissioner, Bangalore Dist.